









Docket No.: E3331.0657 (PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of: Alexander C. Riseman et al.

Application No.: 10/525,750

Filed: February 25, 2005

For:

SYSTEM AND METHOD FOR

DERIVING DATA

Confirmation No.: 2077

Art Unit: N/A

Examiner: Not Yet Assigned

INFORMATION DISCLOSURE STATEMENT (IDS)

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

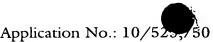
Pursuant to 37 CFR 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

Timing of Filing of the Information Disclosure Statement:

\boxtimes	This IDS is being filed before the First Office Action ¹ .
	This IDS is being filed after the issuance of the First Office Action but before the
	issuance of a Final Office Action ² .

¹ The IDS should, where possible, include a certification under 37 C.F.R. §1.97(e).

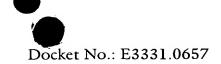
² The IDS must include either a certification under 37 C.F.R. §1.97(e) or the fee set forth in 37 C.F.R. §1.17(p).



Docket No.: E3331.0657

P P	
	This IDS is being filed after the issuance of a Final Office Action or Notice of Allowance but before the payment of the Final Fee ³ .
<u>Certi</u>	fications:
If che	cked, the undersigned makes the following statement(s):
\boxtimes	Statement under 37 CFR § 1.97(e):
	Each item of information contained in this information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this information disclosure statement; or
	No item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this information disclosure statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of the information disclosure statement.
\boxtimes	Statement Under 37 C.F.R. § 1.704(d): Each item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart application less than thirty days prior to the filing of this information disclosure statement.
Fee R	equired by 37 C.F.R. § 1.97(c)(2) or 1.97(d)(2):
	If checked, the fee of \$180.00 set forth in 37 C.F.R. \$1.17(p) is attached.

³ The IDS must include both a certification under 37 C.F.R. §1.97(e) and the fee set forth in 37 C.F.R. §1.17(p).



Copies of Information:

Nacible and of each decomposition relevant members themselves is sited in the

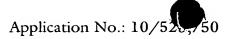
In accordance with 37 C.F.R. §1.98(a), the following are enclosed:

\boxtimes	A legible copy ⁴ of each document (or relevant portion thereof) is cited in the attached PTO/SB/08 (with the exception of Issued U.S. Patents).				
	With respect to any information which is not in English, a concise explanation of the relevance, as it is presently understood by the individual designated in § 1.56(c) most knowledgeable about the content of the information, is attached. This concise explanation is provided by way of:				
	A translation of the relevant portions of the non-English language information ⁵ ;				
	A statement explaining the relevant portions of the non-English language information;				
	A copy [and, where not in the English language, a translation] of at least the relevant portion(s) ⁶ of the communication from a foreign patent office in a counterpart foreign application in which the information was cited; or				
	This information is contained in the specification of the present application.				

⁴ A legible copy of the document is not required if (1) the information was previously cited by, or submitted to, the Office and considered by the Office in a prior U.S. application to which this application claims priority, provided that the prior application is properly identified in this IDS, and (2) the IDS submitted in the earlier application complies with 37 C.F.R. § 1.98(a) - (c). This exception does not apply to information cited in an International Application.

⁵ 37 C.F.R. §1.98(a)(3)(ii) requires that an English language translation be provided when a translation of the document, or portion thereof, "is within the possession, custody or control of, or is readily available to any individual designated in 37 C.F.R. § 1.56(c)."

⁶ The relevant portion is that portion which indicates the degree of relevance found by the foreign patent office. This may be an explanation of which portion of the of the reference is particularly relevant, to which claims it applies, or merely an "X", "Y", or "A" indication on a search report. MPEP §609 III A(3).



Docket No.: E3331.0657

In accordance with 37 C.F.R. 1.98(d), copies of the cited documents are not enclosed as they were provided in application Serial No. , filed , which the present application relies upon for an earlier effective filing date under 35 U.S.C. 120.

Materiality:

Whether or not the information and references disclosed in this Information Disclosure Statement is "material" pursuant to 37 CFR 1.56, this submission is not intended to constitute an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists.

It is submitted that the Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed references.

In the event the actual fee is inadvertently not enclosed or if any additional fee during the prosecution of this application is not paid, the Patent Office is authorized to charge the underpayment to Deposit Account No. 50-2215.

Dated: September 7, 2005

Respectfully submitted,

Joseph W. Ragusa

Registration No.: 38,586

DIEKSTEIN SHAPIRO MORIN &

OSHINSKY LLP

1177 Avenue of the Americas

New York, New York 10036-2714

(212) 835-1400

Attorney for Applicant

SIW/JWR/bi/da





PTO/SB/08a/b (07-05)

Approved for use through 07/31/2006. OMB 0651-0031 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Complete if Known Substitute for form 1449A/B/PTO 10/525,750-Conf. #2077 Application Number INFORMATION DISCLOSURE February 25, 2005 Filing Date STATEMENT BY APPLICANT Alexander C. Riseman First Named Inventor Art Unit (Use as many sheets as necessary) Not Yet Assigned **Examiner Name** E3331.0657 of 1 Attorney Docket Number Sheet 1

U.S. PATENT DOCUMENTS						
Examiner	Cite No.1	Document Number	Publication Date MM-DD-YYYY	Traine of Fateritee of	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	
Initials*		Number-Kind Code ² (if known)				
	AA*	US-6,421,653	07-16-2002	May		
	AB*	US-6,405,180	06-11-2002	Tilfors et al.		
	AC*	US-6,098,051	08-01-2000	Lupien et al.		

FOREIGN PATENT DOCUMENTS						
Examiner Cite Initials* No.		Foreign Patent Document Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. * CITE NO.: Those application(s) which are marked with an single asterisk (*) next to the Cite No. are not supplied (under 37 CFR 1.98(a)(2)(iii)) because that application was filed after June 30, 2003 or is available in the IFW. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁴ Applicant is to place a check mark here if English language Translation is attached.

NON PATENT LITERATURE DOCUMENTS					
		Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T²		
	CA	A copy of the International Search Report issued for Parent PCT Application No. PCT/US2003/027333			

^{*}EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Examiner	Date	
Signature	Considered	
	 	·

¹Applicant's unique citation designation number (optional). ²Applicant is to place a check mark here if English language Translation is attached.